

AO 94 (Rev. 06/09) Commitment to Another District

## UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

United States of America

v.

RICHARD HENRY KAYIAN

*Defendant*

Case No. 1:16mj040

Charging District's

Case No. 1:16mj40

## COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the Western District of Virginia,  
 (if applicable) - \_\_\_\_\_ division. The defendant may need an interpreter for this language:

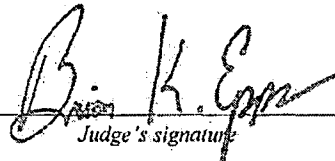
The defendant: ☐ will retain an attorney.

☒ is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

**IT IS ORDERED:** The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date: 11/15/2016



*Judge's signature*

Hon. Brian K. Epps, U.S. Magistrate Judge

*Printed name and title*

AO 466A (Rev. 07/16) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT  
for the

United States of America

v.

Richard Henry Kayian  
Defendant

Case No. 1:16 MJ 40

Charging District's Case No. 1:16 MJ 1166

WAIVER OF RULE 5 & 5.1 HEARINGS  
(Complaint or Indictment)

I understand that I have been charged in another district, the (name of other court)

Western District of Virginia

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that any preliminary or detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date:

11/10/16

Defendant's signature

Signature of defendant's attorney

Kenneth Crowder

Printed name of defendant's attorney

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA

CLERK'S MINUTES

CASE NO.: 1:16 MJ 40  
UNITED STATES OF AMERICA

DATE: 11/10/16  
TIMES: 2:19 - 2:32

v.

Richard Henry Kayian

Honorable: Brian K. Epps, United States Magistrate Judge

Courtroom Deputy: Rebecca Cirillo

Court Reporter: FTR

Interpreter: -

Probation Officer: Eller

Security: Grooms

Attorney for Government: Troy Clark

Attorney for Defendant(s): Kenneth Crowder

PROCEEDINGS: INITIAL APPEARANCE/REMOVAL HEARING

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> All parties present and ready to proceed   | <input type="checkbox"/> Interpreter is sworn                   |
| <input checked="" type="checkbox"/> Defendant advised of charges and penalties   | <input checked="" type="checkbox"/> Defendant advised of rights |
| <input checked="" type="checkbox"/> Identity Hearing Waived  |   |
| <input checked="" type="checkbox"/> Preliminary Hearing Waived   |   |
| <input checked="" type="checkbox"/> Request Preliminary Hearing in District of Offense                                   |   |
| <input checked="" type="checkbox"/> Government moves for detention - Defendant waives detention hearing in this district |   |
| <input type="checkbox"/> Detention Hearing held  |   |

Witness for the Govt:

☐ Witness sworn

Witness for the Deft:

☐ Witness sworn

☒ Defendant Detained Pending Transfer to District of Offense

☒ Defendant remanded to custody of US Marshal

Defendant requests a detention hearing in WDVA

**U.S. District Court  
Southern District of Georgia (Augusta)  
CRIMINAL DOCKET FOR CASE #: 1:16-mj-00040-BKE-1**

Case title: USA v. Kayian

Date Filed: 11/09/2016

Assigned to: Magistrate Judge Brian K.  
Epps

**Defendant (1)**

**Richard Henry Kayian**

represented by **Kenneth D. Crowder**  
Crowder Stewart, LLP  
P.O. Box 160  
Augusta, GA 30903  
706-434-8545  
Email: ken@crowderstewart.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

21:846=CD.F

**Disposition**

**Plaintiff**

**USA**

represented by **Christopher Troy Clark**  
U.S. Attorney's Office - Augusta  
P.O. Box 2017  
Augusta, GA 30903

706-826-4537  
 Fax: 706-724-7728  
 Email: troy.clark@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*

Date Filed	#	Docket Text
11/09/2016		Arrest (Rule 40) of Richard Henry Kayian. (rc) (Entered: 11/15/2016)
11/10/2016	<u>2</u>	Minute Entry for proceedings held before Magistrate Judge Brian K. Epps: Initial Appearance in Rule 5(c)(3) Proceedings as to Richard Henry Kayian held on 11/10/2016. Defendant waives any rights to identity, preliminary, and detention hearings to which he may be entitled in this District and reserves those rights for WDVA. Defendant remanded to USMS custody pending transfer to WDVA. (Court Reporter FTR.) (rc) (Entered: 11/15/2016)
11/10/2016	<u>3</u>	WAIVER of Rule 5(c)(3) Hearing by Richard Henry Kayian. (rc) (Entered: 11/15/2016)
11/10/2016		TEXT ORDER for Appointment of Attorney as to Richard Henry Kayian by Magistrate Judge Brian K. Epps on 11/10/2014. The Court has reviewed the CJA23 financial affidavit, finds Defendant qualifies for appointment of counsel under the Criminal Justice Act, and appoints Kenneth Crowder as attorney for Defendant. (rc) (Entered: 11/15/2016)
11/14/2016	<u>1</u>	CJA 23 Financial Affidavit by Richard Henry Kayian. (cmr) (Entered: 11/15/2016)
11/15/2016	<u>4</u>	COMMITMENT TO ANOTHER DISTRICT as to Richard Henry Kayian. Defendant committed to the Western District of Virginia. Signed by Magistrate Judge Brian K. Epps on 11/15/2016. (rc) (Entered: 11/15/2016)
11/16/2016	<u>5</u>	Notice to CJA Counsel: CJA Packet attached including Post-Conviction Obligations - <a href="#">CLICK HERE TO READ</a> . (cmr) (Entered: 11/16/2016)

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11/17/2016 15:26:18			
PACER Login:	us3753:2653133:0	Client Code:	
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Billable Pages:	1	Cost:	0.10